

### **ARGUMENTS / REMARKS**

This is a reply to non-final Office Action mailed June 23, 2009, rejecting all pending claims in the present application. With the following arguments the rejections are traversed accordingly.

#### **Status of Claims**

Claims 1-18 and 26-30 were previously pending in the present application. Claims 1-18 and 26-30 stand rejected.

#### **Rejection under 35 U.S.C. § 102(e)**

Claims 27-30 were rejected pursuant to 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 7,051,118 issued to Collison ("Collison"). Applicant respectfully traverses the Examiner's rejection and respectfully submits that none of the rejected claims are anticipated by Collison. Collison fails to disclose, either explicitly or inherently, each and every limitation of the rejected claims as is required for a rejection pursuant to § 102(e).

With respect to Claim 27, the Examiner contends that Collison teaches:  
*a computer system ... embodied with computer logic that ... receives a ...  
[request] message ... from a first ... application component, wherein the  
message identifies a second ... application component*

The Examiner points to, e.g., step 302 in FIG. 3 and col. 5, lines 37-45 in Collison, as teaching the foregoing limitation of Claim 27. For the purpose of this traversal it is assumed that the server identified as "www.rv.tibco.com" in Collison at col. 5, line 45 would be executing the foregoing process in Claim 27. But nothing in that passage (or elsewhere) indicates that the request in Collison "*identifies a second application component*". Although the "call" in Collison identifies "www.rv.tibco.com/whitepaper.html", that is just the name of a server receiving the request. The "call" identifies both the server receiving the request and the name of the requested file "whitepaper.html". Nothing in

Collison indicates that the “call” separately includes the identification of “second application component”. The file “whitepaper.html” is a file that may be retrieved according to Collison from multiple different servers (See, col. 5, line 37 – col. 6, line 3). It is not itself the identity of a “second application component”.

Moreover, the Examiner further contends that Collison teaches the step: *publishes the message to a publish/subscribe topic identified based on a property of the second ... application component.*

The Examiner points to, e.g., step 308 in FIG. 2 in Collison as teaching this limitation. Collison teaches publishing the subject-based request by “multicast[ing] the subject based request over the network, such that all servers that are listening for this particular subject based message can receive the message”. (col. 5, lines 36-50) Thus unlike Claim 27, Collison does not teach publishing the request to a “publish/subscribe topic”. Nor does Collison teach that the topic is “identified based on a property of the second application component”. To be sure, as noted, the “request” according to Collison does not identify a “second application component”.

As such, it is respectfully submitted that Collison fails to teach each and every limitation of Claim 27. Likewise, Claim 28 which incorporates all limitations of Claim 27, is similarly not anticipated by Collison,

Finally, Claims 29 and 30 – the “method claims” – equivalents of Claims 28 and 30 – the “system claims” – are similarly not anticipated by Collison.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 1-18 and 26 were rejected pursuant to 35 U.S.C. § 103(a), as being unpatentable over Collison in view of U.S. Patent No. 6,804,818 issued to Codella et al. (“Codella”). Applicant respectfully traverses the Examiner’s rejection, and submits that none of the pending claims are obvious over Collison, standing alone or in combination with Codella. Collison in combination with Codella fail to teach or suggest the rejected claims.

With respect to Claim 1, the Examiner refers to Collison at, e.g., step 302 in FIG. 3 and col. 5, lines 37-45 as allegedly teaching the step:

*receiving a request by a middleware program from a first distributed application component, wherein a second distributed application component is identified in said request as a recipient of said request;*

Yet Collison fails to teach that the request is received by a middleware program. Rather according to Collison the request is received by server **204** identified in the request as “www.rv.tibco.com” (See, col. 5, lines 44-45). Thus if we are to assume for the purpose of the rejection that the server “www.rv.tibco.com”, in Collison, is analogous to the “middleware program” in Claim 1, then that same server cannot also be analogous to the “second distributed application component” of Claim 1. Claim 1 teaches a “middleware program” that receives a request **and** a “second distribution application component” identified in the request. It is plainly clear from Claim 1 that the “middleware program” and the “second distribution application component” are two separate components.

The Examiner refers to Collison at, e.g., step 304 in FIG. 3 and col. 5, line 65 to col. 6, line 3, as teaching the following limitation in Claim 1:

*identifying by the middleware program a publish/subscribe topic by identifying a first property of said second distributed application component*

Collison teaches that the “subject” of the request is identified within the request itself. Thus if the request is “http://.../whitepaper.html”, then the subject identified is “whitepaper.html”. However, Collison does not teach that a “publish/subscribe topic” is identified based on a property of “second distributed application component”. Indeed, as noted, Collison does not teach a “second distributed application component”. The file “whitepaper.html” is not the equivalent of a “second distributed application component”. As noted, the request for “whitepaper.html” is multicasted to multiple servers. It is not itself a distributed application component.

Moreover, the Examiner refers to Collison at, e.g., step 308 in FIG. 3 for teaching the following:

*publishing by the publisher said request on the first publish/subscribe topic*

But as noted, Collison fails to teach “publishing to publish/subscribe topic”. In Collison the publishing is achieved by “multicast[ing] the subject based request over the network, such that all servers that are listening for this particular subject based message can receive the message”. (col. 5, lines 36-50) Unlike Claim 27, Collison does not teach publishing the request to a “publish/subscribe topic”.

The Examiner finally refers to Codella for teaching:

*sending the request by the middleware program to a publisher associated with the first publish/subscribe topic*

Codella teaches mechanisms for sending and receiving anonymous invocations between message beans. Thus, in Codella, the messages are anonymous and do not identify either the sender or the intended recipient of the invocation (*see, e.g.*, Codella, abstract; col. 3 line 61 to col. 4 line 15). In clear contrast, Claim 1 requires that the message sent between components, identify the recipient of the message.

In fact, the very concept of a message that specifically identifies a recipient is contrary to the essence of Codella’s invention. For example, Codella touts the advantage of the invention as follows:

“The integration mechanism permits an object oriented component, heretofore referred as a message bean, to perform anonymous invocations that are serviced by other message beans or by message-oriented servers in such a way the requesting message bean is unaware of whether the server of the anonymous invocation is either a message bean or a message oriented server. (emphasis added)

Codella, at col. 3, lines 61-67.

Thus clearly, Codella teaches away from the teachings of Claim 1.

Finally, the limitations that are traversed above with respect to Collison are similarly not taught or suggested by Codella. Thus Claim 1 is not obvious over Collison, standing alone, or in combination with Codella.

For the same reasons as noted above, dependent claims 2-18 and 26 are similarly not unpatentable over Collison in view of Codella.

**CONCLUSION**

In view of the foregoing arguments and remarks, it is respectfully requested that the outstanding rejection be withdrawn and a notice of allowance be issued for the present application.

In the event the Examiner believes that an interview would be helpful in advancing the present application, the Examiner is respectfully requested to contact the undersigned at the number indicated below.

Dated: December 23, 2009

Respectfully submitted,

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\* A statement under 37 C.F.R. § 3.73(b) is attached